

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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THEODORE ALAN MUTTSCHALER,

Plaintiff,

Case No. 1:12cv1221

v.

Hon. Robert J. Jonker

MICHAEL MARTIN,

Defendant.

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**ORDER**  
**APPROVING AND ADOPTING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on June 11, 2013. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed June 11, 2013, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that defendant's motion for summary judgment (docket #8) is **GRANTED** and plaintiff's motion for summary judgment is (docket #11) is **DENIED**. This matter is **DISMISSED**.

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ROBERT J. JONKER  
UNITED STATES DISTRICT JUDGE

DATED: July 15, 2013.